**THE HONOURABLE SRI JUSTICE V. ESWARAIAH**

**WRIT PETITION No.20796 OF 2007**

**DATED: 05-10-2007**

**BETWEEN**

Chelikala Narayana,
S/o. Mallaiah,
Occ: Agriculturist,
R/o. Lingasamudram Village,
Lingasamudram Mandal,
Prakasam District
and another.

...PETITIONER

**AND**

The District Collector,
Prakasam District at Ongole,
and two others.

...RESPONDENTS

**ORDER:**

Petitioners question the notice dated 01.08.2007 issued by the third respondent – Panchayat Secretary, Lingasamudram Gram Panchayat of Prakasam district directing him to vacate the land encroached by him in an extent of Ac.0.07 cents in S.No.117/3 of Lingasamudram Village and Mandal Prakasam District, which belongs to the Gram Panchayat and allotted for a temple, within three days, failing which appropriate action would be taken against him.

2. Learned counsel for the petitioner submits that the said notice is not in the nature of a show-cause notice but it is in the nature of an order directing the petitioner to vacate the aforesaid land within three days. He further submits that the petitioner is entitled to a reasonable opportunity to

submit his explanation.

3. Having regard to the facts and circumstances of the case, the notice dated 01.08.2007 issued by the third respondent is directed to be treated as a show-cause notice and the petitioner is directed to file an explanation within one week from the date of receipt of a copy of this order. On submission of such explanation, it is open for the respondents to pass appropriate orders in accordance with law and till then status quo with regard to possession obtaining as on today shall be maintained.

The writ petition is accordingly disposed of. There shall be no order as to costs.

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V. ESWARAIAH, J

October 5, 2007
Note: Furnish C.C. of the order in two days.
(**B/o**)
DSK